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THERESE B. VARDELL\*  
KERRY S. CULPEPPER

SPECIALIZING IN PATENTS, TRADEMARKS &amp; COPYRIGHTS

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MAY 17 2006

**FACSIMILE TRANSMISSION**Date: 5/17/2006Pages: **25**

Fax No.: 571-273-8300

To: USPTO Office of Petitions

**ATTENTION: Examining Attorney Charlema Grant**

From: David Posz (Reg. No. 37,701)

Re: REQUEST FOR RECONSIDERATION OF PETITION UNDER  
37 C.F.R. 1.181(a) FOR RE-MAILING OF NOTICE OF ALLOWANCE AND  
RE-START OF ISSUE FEE DUE DATE (Serial No. 10/690,843)**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 571-273-8300 on May 17, 2006 to the attention of Office of Petitions (Petitions Attorney Charlema R. Grant).

Typed Name: DAVID G. POSZ

Signature: 

Applicant(s): NATSUME et al.

Atty. Dkt.: 11-200

Serial No.: 10/690,843

Group Art Unit: 3662

Filed: October 28, 2003

Examiner: Bernarr E. Gregory

Title: DISTANCE CALCULATING  
METHOD AND SYSTEM**\*\*\*\*Notice\*\*\*\***

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MAY 17 2006

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): NATSUME et al.	Atty. Dkt.: 11-200
Serial No.: 10/690,843	Group Art Unit: 3662
Filed: October 28, 2003	Examiner: Bernarr E. Gregory
Title: DISTANCE CALCULATING METHOD AND SYSTEM	

Commissioner for Patents  
Alexandria, VA 22314  
Mail Stop: Petition

Date: May 17, 2006

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Typed Name: DAVID G. POSZ

Signature: 

**REQUEST FOR RECONSIDERATION OF PETITION UNDER**  
**37 C.F.R. 1.181(a) FOR RE-MAILING OF NOTICE OF ALLOWANCE AND**  
**RE-START OF ISSUE FEE DUE DATE**

Sir:

This Request is being timely filed in response to a DECISION ON PETITION mailed on May 11, 2006 by the USPTO that dismissed Applicants' PETITION UNDER 37 C.F.R. 1.181(a) FOR RE-MAILING OF NOTICE OF ALLOWANCE AND RE-START OF ISSUE FEE DUE DATE filed on April 11, 2006 for the above application.

Upon review of the DECISION ON PETITION by the undersigned, it appears that the Office of Petitions asserts that the PETITION filed on April 11, 2006 was acceptable, except that the docketing records originally submitted with the PETITION as Exhibit A were allegedly

Serial No. 10/690,843

not sufficient to provide clarification of the firm's practice for docketing communications from the USPTO.

In response, attached hereto as Exhibit A please find copies of additional screens from the firm's docketing records for the present application in question. The first screen is the screen on which Office Action information was entered for the Office Action mailed on April 8, 2004 and on which filing date information was entered for the Amendment filed on June 29, 2004. The second screen is the screen on which the receipt date of the Notice of Allowance would have been entered, and on which the corresponding issue fee due date and issue fee payment date information would have been entered. As is evident from the latter screen, the Notice of Allowance date of receipt was never entered because the Notice was never received.

Also, referring back to Exhibit A of the April 11<sup>th</sup> PETITION, the Office should note that the docketing system enables the status of the present application as indicated on the upper right hand side of the captured screen to be changed from "PENDING" to "ALLOWED" upon receipt of a Notice of Allowance. It is clear from the docketing screen that the status of the application was never changed from "PENDING" to "ALLOWED," thereby providing further evidence that the Notice of Allowance was never received.

Finally, attached hereto as Exhibit B are copies of the an incoming mail log maintained by the firm of the undersigned for all correspondence received from the USPTO from October 7, 2004 (the mailing date of the Notice of Allowance in question) through October 20, 2004. Also attached as Exhibit C are public PAIR screen copies of the Transaction Histories for all other applications prosecuted by the firm of the undersigned in which Notices of Allowance were mailed on October 7, 2004 (the alleged mailing date of the Notice of Allowance in question). The incoming mail log and Transaction Histories provide further proof that, on

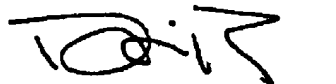
**Serial No. 10/690,843**

October 8, 2006, the firm of the undersigned received all Notices of Allowance mailed by the USPTO on October 7, 2004 for other applications handled by the firm, but that the firm never received the Notice of Allowance in question (attorney docket no. 11-200).

In view of the above remarks, the previously submitted Petition, and the attached Exhibits, it is again respectfully asserted that the Notice of Allowance for the above application was either lost in the mail or, in fact, was never mailed. Prompt review and grant of this Petition, as well as a prompt re-mail of the Notice of Allowance and a re-start of the three-month issue fee payment due date, are respectfully requested.

If the reviewing Petitions Attorney has any remaining questions regarding this matter, she is invited to call the undersigned at the number provided below. Although no fees are believed to be due, authorization is hereby given to charge any unforeseen fees to deposit account 50-1147.

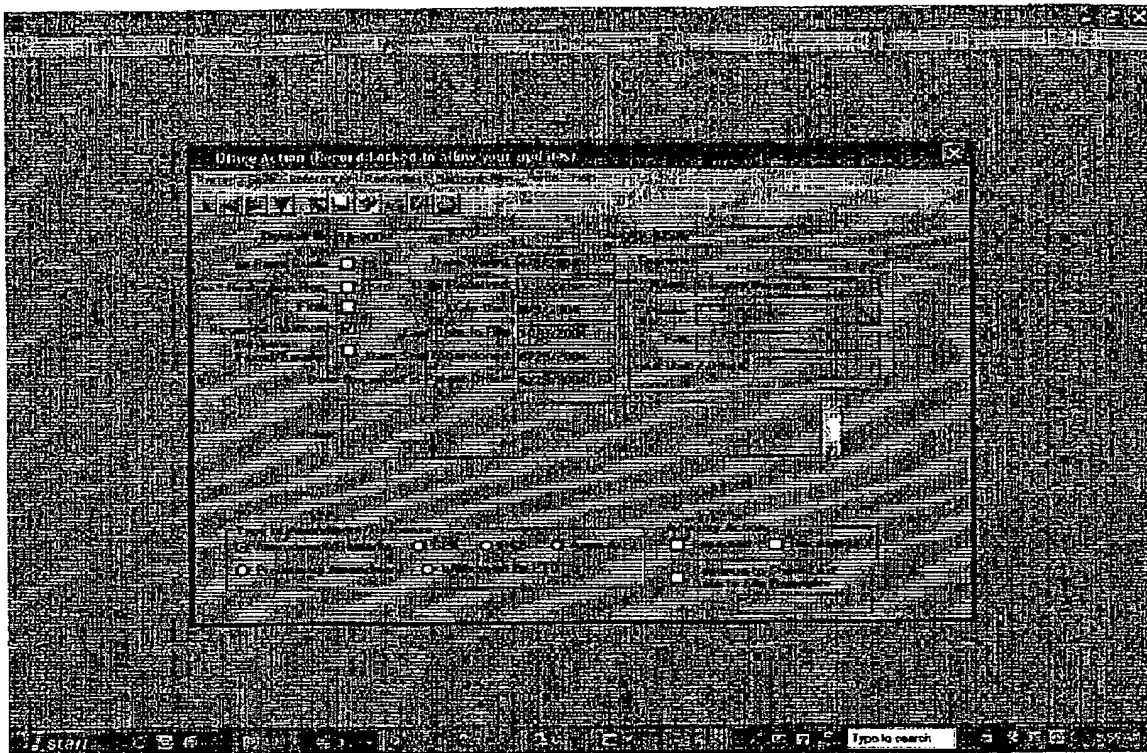
Respectfully submitted,  
POSZ LAW GROUP, PLC

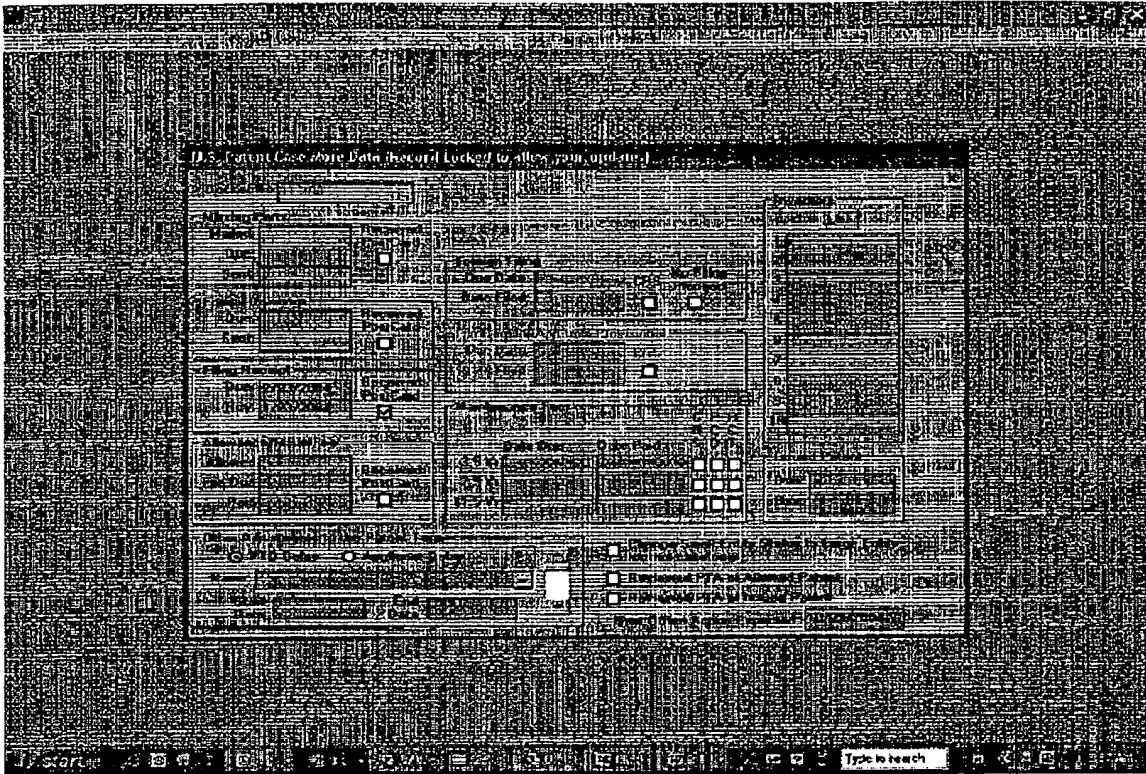


David G. Posz  
Reg. No. 37,701

**Posz Law Group, PLC**  
**12040 South Lakes Drive**  
**Suite 101**  
**Reston, VA 20191**  
**(703) 707-9110 (phone)**  
**Customer No. 23400**

## EXHIBIT A





## EXHIBIT B



**Incoming Mail**Date: 10/7/04 Initials: MOD Checked By: \_\_\_\_\_**Office Actions:**1-286, 48-0024, 1-523, 11-209, 2611-02  
12-008, 01-351, 1-373, 1-500, 1-318, 11-**Notice of Allowance:**1-418, 10-171**Assignments:****Filing Receipts:****Restriction Requirements:****Issue Notifications:****Granted Patents:****Post Cards:**1-700, 11-273, 10-297**Others****Docket #**PCTPCT/US2002/02310427-001-PCT, 27-007-PCT

Incoming MailDate: 10/8 Initials: KW Checked By: \_\_\_\_\_

Office Actions: \_\_\_\_\_

Notice of Allowance: 20-020; 11-101; 03-029; 13-002-TN;  
01-455; 11-125;

Assignments: \_\_\_\_\_

Filing Receipts: 01-654(MP); 01-626(MP); 15-053; 01-676;

Restriction Requirements: \_\_\_\_\_

Issue Notifications: \_\_\_\_\_

Granted Patents: \_\_\_\_\_

Post Cards: 112102.135; 01-707; 06-006; 01-698; 10X-284;  
10-302; 36-005; 26H-016;OthersDocket #Not. of Transm. (PCT)

Incoming MailDate: 10/11 Initials: KW Checked By: \_\_\_\_\_Office Actions: 01-343;Notice of Allowance: 14-016;Assignments: 01-619; 01-617; 10-264;Filing Receipts: 01-682; 264-013 (MP); 10-277;

Restriction Requirements: \_\_\_\_\_

Issue Notifications: \_\_\_\_\_

Granted Patents: \_\_\_\_\_

Post Cards: \_\_\_\_\_

OthersPCT Not.Docket #10X-248; 10X-247; 10X-249

**Incoming Mail**Date: 10/12 Initials: KW Checked By: \_\_\_\_\_Office Actions: 02-076-DIV;\_\_\_\_\_  
Notice of Allowance:\_\_\_\_\_  
Assignments:\_\_\_\_\_  
Filing Receipts: 01-680; 14-042;\_\_\_\_\_  
Restriction Requirements:\_\_\_\_\_  
Issue Notifications:\_\_\_\_\_  
Granted Patents:\_\_\_\_\_  
Post Cards:\_\_\_\_\_  
**Others****Docket #**PCT. Not.10X-249

Incoming MailDate: 10/13 Initials: KW Checked By: \_\_\_\_\_

Office Actions: \_\_\_\_\_

Notice of Allowance: 11-139; 24-003;Assignments: 26B-034;~~Re: 10X-241P; 27-004-PCT; 10X-249;~~  
PCT:

Restriction Requirements: \_\_\_\_\_

Issue Notifications: \_\_\_\_\_

Granted Patents: 02-098; 01-220-RCE; 03-034; 01-326;  
03-010; 01-357;Post Cards: 01-686OthersNot. of Publ.Not. of Acc. of PDBDocket #01-587; 11-242; 11-229; 01-586;  
12-042; 12-044; 01-614;  
26A-017; 01-589;  
12-1132

Incoming MailDate: 10/14 Initials: KW Checked By: \_\_\_\_\_Office Actions: 11-061-DIV; 10-025;Notice of Allowance: 01-405; 26C-001; 01-453; 01-236-DIV;  
11-181;

Assignments: \_\_\_\_\_

Filing Receipts: 11-202;

Restriction Requirements: \_\_\_\_\_

Issue Notifications: 01-130; 02-091; 01-396; 01-085; 03-031;  
01-481; 11-102; 14-011-TN

Granted Patents: \_\_\_\_\_

Post Cards: 01-377-DIV; 26H-002; 01-709OthersDocket #PCT Not.27-005-PCT/KW

**Incoming Mail**Date: 10.15.04 Initials: KW Checked By: \_\_\_\_\_Office Actions: 01-428;Notice of Allowance: 26H-004; 26B-004

Assignments: \_\_\_\_\_

Filing Receipts: \_\_\_\_\_

Restriction Requirements: \_\_\_\_\_

Issue Notifications: \_\_\_\_\_

Granted Patents: \_\_\_\_\_

Post Cards: 11-271; 01-687; 42-001; 26B-014;**Others****Docket #**nos. of Aband.02-090;PCTXSI. 076P

Incoming MailDate: 10.18.04 Initials: \_\_\_\_\_ Checked By: \_\_\_\_\_Office Actions: 26A-001

Notice of Allowance:

Assignments:

11-205, #12-045, 2-118.

Filing Receipts:

10-274, 10X-401, 14-039, 11-260

Restriction Requirements:

26A-001

Issue Notifications:

Granted Patents:

Post Cards:

11-278, 11-274, 1-710, 1-711OthersAdvisory ActionDocket #11727, 1-193



Incoming MailDate: 10.19.04 Initials: YTM Checked By: \_\_\_\_\_Office Actions:12-009, 1-434, 14-15, 11-179  
26DT-010Notice of Allowance:12-019Assignments:1-597, 1-616, 2-119Filing Receipts:11-204, 26D-15, 1-661, 27-13-P  
11-258, 1-306-DIV.Restriction Requirements:Issue Notifications:1-530, 1-517, 10X-207, 26c-006, 15-033  
12-044, 26CT-009, 10-138, 11-153.Granted Patents:N. of Pub 12-47, 1-235-DIV, 38-001-TN, 1-609  
11-226, 26c-23-DIV, 20T-29-COXPost Cards:11-123-DIV, 12-54, 12-53, 6-007.OthersSearch RptDocket #27-009-PCT.

Incoming MailDate: 10-20-04 Initials: Yfm Checked By: \_\_\_\_\_Office Actions: 11-173. 20T-037Notice of Allowance: 11-187, 3-16.

Assignments: \_\_\_\_\_

Filing Receipts: 11-268 264-3

Restriction Requirements: \_\_\_\_\_

Issue Notifications: \_\_\_\_\_

Granted Patents: 1-372, 2-73Post Cards: 43-1, 10-285, 11-275, 10-288.OthersDocket #Advisory Action  
N. of Abandonment1-18611-91.

## EXHIBIT C

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20-020



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## Order Certified Application As Filed

10/725,271

SINGLE SUBSTRATE HYDROGEN AND /  
ASSEMBLY AND METHOD OF MANUFACTURE

Patent Data	Application Data	Transaction History	Patent Fees	Patent Status
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## Transaction History

Date	Transaction Description
02-08-2005	Recordation of Patent Grant Mailed
01-19-2005	Issue Notification Mailed
02-08-2005	Patent Issue Date Used In PTA Calculation
01-11-2005	Receipt into Pubs
01-10-2005	Dispatch to FDC
01-10-2005	Application Is Considered Ready for Issue
12-30-2004	Issue Fee Payment Verified
12-30-2004	Issue Fee Payment Received
12-14-2004	Receipt into Pubs
11-09-2004	Receipt into Pubs
10-28-2004	Workflow - File Sent to Contractor
10-07-2004	Mail Notice of Allowance
10-01-2004	Notice of Allowance Data Verification Completed
10-01-2004	Case Docketed to Examiner In GAU
09-15-2004	Case Docketed to Examiner in GAU
04-29-2004	IFW TSS Processing by Tech Center Complete
12-02-2003	Reference capture on IDS
12-02-2003	Information Disclosure Statement (IDS) Filed
04-29-2004	Case Docketed to Examiner in GAU
03-12-2004	Application Return from OIPE
03-12-2004	Application Return TO OIPE
03-12-2004	Application Return from OIPE
03-15-2004	Application Is Now Complete
03-12-2004	Application Return TO OIPE
03-11-2004	Application Dispatched from OIPE
03-12-2004	Application Is Now Complete
02-26-2004	Cleared by L&R (LARS)
02-10-2004	Referred to Level 2 (LARS) by OIPE CSR
01-07-2004	IFW Scan & PACR Auto Security Review
12-02-2003	Initial Exam Team nn

If you need help:

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10/184,046

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Search	App. Status	Transaction History	App. Status	App. Status
10/184,046	10/184,046	10/184,046	10/184,046	10/184,046

## Transaction History

Date	Transaction Description
04-15-2005	Record a Petition Decision of Granted to Issue P.
01-11-2005	Recordation of Patent Grant Mailed
12-23-2004	Petition Entered
12-23-2004	Workflow incoming petition IFW
12-23-2004	Issue Notification Mailed
01-11-2005	Patent Issue Date Used In PTA Calculation
12-17-2004	Receipt into Pubs
12-16-2004	Dispatch to FDC
12-16-2004	Application Is Considered Ready for Issue
11-30-2004	Issue Fee Payment Verified
12-14-2004	Receipt into Pubs
11-30-2004	Issue Fee Payment Received
10-26-2004	Receipt into Pubs
10-25-2004	Workflow - File Sent to Contractor
10-07-2004	Mail Notice of Allowance
10-07-2004	Mail Examiner Interview Summary (PTOL - 413)
10-07-2004	Mail Examiner's Amendment
10-01-2004	Notice of Allowance Data Verification Completed
09-30-2004	Examiner's Amendment Communication
09-28-2004	Examiner Interview Summary Record (PTOL - 4)
08-02-2004	Date Forwarded to Examiner
07-22-2004	Response after Non-Final Action
04-22-2004	Workflow Incoming amendment IFW
04-23-2004	Mail Non-Final Rejection
04-19-2004	Non-Final Rejection
02-04-2004	IFW Amended case processing Complete
02-04-2004	Date Forwarded to Examiner
01-05-2004	Response after Non-Final Action
05-02-2003	Information Disclosure Statement (IDS) Filed
10-03-2003	Mail Non-Final Rejection
09-17-2003	Non-Final Rejection
06-28-2002	Request for Foreign Priority (Priority Papers May

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10/355,019

**ADJUSTMENT-CIRCUIT EMBEDDED SEI  
SYSTEM**

Transaction	History
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**Transaction History**

Date	Transaction Description
01-25-2005	Recordation of Patent Grant Mailed
01-06-2005	Issue Notification Mailed
01-25-2005	Patent Issue Date Used In PTA Calculation
12-30-2004	Receipt into Pubs
12-29-2004	Dispatch to FDC
12-29-2004	Application Is Considered Ready for Issue
12-21-2004	Issue Fee Payment Verified
12-21-2004	Issue Fee Payment Received
10-26-2004	Receipt into Pubs
10-25-2004	Workflow - File Sent to Contractor
10-07-2004	Mail Notice of Allowance
10-01-2004	Notice of Allowance Data Verification Complete
09-08-2004	Date Forwarded to Examiner
08-24-2004	Response after Non-Final Action
08-24-2004	Workflow incoming amendment IFW
06-07-2004	Mail Non-Final Rejection
06-01-2004	Non-Final Rejection
04-28-2004	IFW TSS Processing by Tech Center Complete
04-28-2004	Date Forwarded to Examiner
04-13-2004	Response after Non-Final Action
04-13-2004	Workflow incoming amendment IFW
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01-26-2004	Non-Final Rejection
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01-31-2003	Information Disclosure Statement (IDS) Filed
07-09-2003	Case Docketed to Examiner in GAU
04-03-2003	Transfer Inquiry to GAU
03-12-2003	Application Dispatched from OIPE
03-12-2003	Application Is Now Complete
02-11-2003	IFW Scan & PACR Auto Security Review
01-31-2003	Initial Exam Team nn

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## Order Certified Application As File

10/257,968

## EROGENIC ZONE STIMULATOR

Search High Value	Application Data	Transaction History	Drawings Exhibits	Patent Status Applicant	Comments
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## Transaction History

Date	Transaction Description
03-08-2005	Recordation of Patent Grant Mailed
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10-25-2004	Workflow - File Sent to Contractor
10-07-2004	Mail Notice of Allowance
10-07-2004	Paralegal TD Not accepted
10-07-2004	Mail Paralegal TD Accepted
10-06-2004	Notice of Allowance Data Verification Completed
09-16-2004	Examiner Interview Summary Record (PTOL - 4)
08-31-2004	Date Forwarded to Examiner
08-31-2004	Supplemental Response
09-14-2004	Paralegal TD Accepted
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10/630,978

SILICON CARBIDE SEMICONDUCTOR D

Application	Transaction	Image	Comments
New Cases	History		

**Transaction History**

Date	Transaction Description
02-08-2005	Recordation of Patent Grant Mailed
01-19-2005	Issue Notification Mailed
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10-06-2004	Notice of Allowance Data Verification Completed
07-22-2004	Date Forwarded to Examiner
07-08-2004	Response after Non-Final Action
07-08-2004	Request for Extension of Time - Granted
07-08-2004	Workflow Incoming amendment IFW
03-12-2004	Mail Non-Final Rejection
03-08-2004	Non-Final Rejection
02-05-2004	Case Docketed to Examiner in GAU
01-20-2004	Case Docketed to Examiner in GAU
11-13-2003	Request for Foreign Priority (Priority Papers May)
07-31-2003	Information Disclosure Statement (IDS) Filed
12-11-2003	Application Return from OIPE
12-11-2003	Application Return TO OIPE
12-11-2003	Application Dispatched from OIPE
12-11-2003	Application Is Now Complete
11-13-2003	Payment of additional filing fee/Preexam
11-13-2003	A statement by one or more inventors satisfying
10-29-2003	Notice Mailed--Application Incomplete--Filing Dat
10-18-2003	Cleared by OIPE CSR
09-07-2003	IFW Scan & PACR Auto Security Review

[https://sportal.uspto.gov/secure/myportal/!ut/p/kcxm1/04\\_Sj9SPykssy0xPLMnMz0vM0Y\\_...](https://sportal.uspto.gov/secure/myportal/!ut/p/kcxm1/04_Sj9SPykssy0xPLMnMz0vM0Y_...) 5/17/2006



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SETTING METHOD

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## Transaction History

Date	Transaction Description
03-22-2005	Recordation of Patent Grant Mailed
03-02-2005	Issue Notification Mailed
03-22-2005	Patent Issue Date Used in PTA Calculation
02-22-2005	Receipt into Pubs
02-18-2005	Dispatch to FDC
02-18-2005	Application Is Considered Ready for Issue
12-23-2004	Issue Fee Payment Verified
12-23-2004	Issue Fee Payment Received
12-21-2004	Receipt Into Pubs
11-03-2004	Request for Refund
10-27-2004	Receipt into Pubs
10-26-2004	Workflow - File Sent to Contractor
10-07-2004	Mail Notice of Allowance
10-07-2004	Mail Examiner Interview Summary (PTOL - 413)
10-07-2004	Mail Examiner's Amendment
10-04-2004	Notice of Allowance Data Verification Completed
10-04-2004	Case Docketed to Examiner in GAU
10-04-2004	Examiner's Amendment Communication
10-04-2004	Claims PTO
09-29-2004	Examiner Interview Summary Record (PTOL - 4:
07-27-2004	Date Forwarded to Examiner
07-15-2004	Response to Election / Restriction Filed
07-15-2004	Workflow incoming amendment IFW
06-17-2004	Mail Restriction Requirement
06-16-2004	Requirement for Restriction / Election
06-08-2004	Date Forwarded to Examiner
05-10-2004	Amendment after Final Rejection
05-10-2004	Request for Extension of Time - Granted
05-10-2004	Workflow incoming amendment IFW
05-10-2004	Workflow incoming petition IFW
01-08-2004	Mail Final Rejection (PTOL - 326)
01-07-2004	Final Rejection

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